

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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IN THE MATTER OF THE INDIANA)
UTILITY REGULATORY COMMISSION'S)
INVESTIGATION OF MATTERS)
RELATED TO THE FEDERAL)
COMMUNICATIONS COMMISSION'S)
REPORT AND ORDER AND ORDER ON)
REMAND AND FURTHER NOTICE OF)
PROPOSED RULEMAKING IN CC)
DOCKET NOS. 01-338, 96-98, AND 98-147)

CAUSE NOS. 42500,
42500-S1 and 42500-S2 FILED

FEB 13 2004

INDIANA UTILITY
REGULATORY COMMISSION

You are hereby notified that on this date a Presiding Officer makes the following Entry in Cause Nos. 42500, 42500 S-1 and 42500 S-2:

On January 28, 2004, Henry T. Kelly ("Applicant") filed a *Verified Application to Practice Before the Indiana Utility Regulatory Commission Pro Hac Vice* ("Application"). The Applicant seeks approval, pursuant to 170 IAC 1-1.1-7 and Rule 3, Section 2(a) of the Indiana Rules for Admission to the Bar and the Discipline of Attorneys, to appear and practice before the Commission in these proceedings on behalf of Talk America Inc., Sage Telecom, Inc., and Z-Tel Communications, Inc., which are parties to these proceedings

170 IAC 1-1.1-7(c) states:

An attorney not admitted to practice before the supreme court of Indiana in good standing but admitted to practice before the Supreme Court of the United States, or the highest court of any other state or territory of the United States, in good standing, may appear at the discretion of the presiding officer before the commission upon filing a verified petition for limited admission to practice before the commission that meets the requirements of the Indiana Rules for Admission to the Bar and the Discipline of Attorneys Rule 3, Section 2(a). Upon being granted limited admission to practice before the commission, an attorney must appear with cocounsel admitted to practice in Indiana. Pending approval of the petition, such an attorney may be permitted to appear, at the discretion of a presiding officer, at any hearing. Local counsel shall sign all briefs, papers, and pleadings in such cause and shall be jointly responsible therefor.

The Application states that the Applicant is a member in good standing of the bar of the State of Illinois, is admitted to practice before that State's highest court, and is a specialist in complex telecommunications issues. The Application also states that there are no disciplinary proceedings presently pending, nor has one ever been brought, against the Applicant, who agrees to be bound by Indiana's Rules of Professional Conduct. The Application further states that Robert K. Johnson, an attorney admitted to practice in Indiana, will serve as co-counsel. Robert K. Johnson has previously entered his appearance in these proceedings on behalf of Talk America Inc., Sage Telecom, Inc., and Z-Tel Communications, Inc.

The Presiding Officer has reviewed the Application and has determined that it appears to satisfy the requirements of 170 IAC 1-1.1-7(c) and Rule 3, Section 2(a) of the Indiana Rules for Admission to the Bar and the Discipline of Attorneys. Applicant, Henry T. Kelly, is hereby granted admission *pro hac vice* to practice before the Commission in these proceedings, with local counsel for Talk America Inc., Sage Telecom, Inc., and Z-Tel Communications, Inc. serving as co-counsel.

IT IS SO ORDERED.

William G. Divine
William G. Divine, Administrative Law Judge

February 13, 2004
Date

Nancy E. Manley
Nancy E. Manley, Secretary to the Commission